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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

AUG 30 2001

WILLIAM A. MUNDELL

Chairman

JIM IRVIN

Commissioner

MARC SPITZER

Commissioner

DOCKETED BY

sd

IN THE MATTER OF THE APPLICATION)
OF QWEST CORPORATION F/K/A U S WEST)
COMMUNICATIONS, INC., FOR APPROVAL)
OF THE FIRST AMENDMENT TO THE)
AGREEMENT FOR INTERCONNECTION)
AND TRAFFIC INTERCHANGE WITH)
DOBSON CELLULAR SYSTEMS, INC. D/B/A)
AIRTOUCH CELLULAR)

DOCKET NO. T-01051B-01-0598

DECISION NO. 63971ORDER

Open Meeting
August 28 and 29, 2001
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On July 26, 2001, Qwest Corporation ("Qwest") f/k/a U S WEST Communications, Inc., filed an Application for approval of an Amendment to the Interconnection between Qwest and Dobson Cellular Systems, Inc. d/b/a Airtouch Cellular ("Dobson"). The original Interconnection Agreement was approved by the Commission on August 29, 1997, in Decision No. 60354.

2. The Telecommunications Act of 1996 ("1996 Act") directed incumbent local exchange carriers to make their networks available for interconnection and resale by new entrants to the local exchange market. The 1996 Act provides for interconnection and resale agreements to be concluded by voluntary negotiation.

3. This Amendment to the Interconnection Agreement between Qwest and Dobson was voluntarily negotiated, without resort to arbitration.

4. Under the terms of this Amendment, terms of the Agreement are extended, and terms and conditions are added for Interchange of Traffic, Direct Billing Requirements and Single Point of Presence.

1 5. According to the 1996 Act and Commission Rule, the Commission must approve
2 voluntarily negotiated interconnection and resale agreements, if their provisions are non-
3 discriminatory and in the public interest.

4 6. Staff has reviewed the Amendment and finds it to be non-discriminatory and in the
5 public interest. Qwest is offering the same terms and conditions of the Agreement to all other
6 interested parties. The Agreement is in the public interest because it will act to further competition
7 in the local exchange market in Arizona.

8 7. Since there are no grounds for rejection of the Amendment pursuant to Section
9 252(e)(2)(A) of the 1996 Act, Staff has recommended that the Commission approve the
10 Amendment to the Interconnection Agreement between Qwest and Dobson.

11 CONCLUSIONS OF LAW

12 1. Qwest is an Arizona Public Service Corporation within the meaning of Article XV,
13 Section 2, of the Arizona Constitution.

14 2. The Commission has jurisdiction over Dobson and over the subject matter of the
15 Application.

16 3. The Commission, having reviewed the Application and Staff's Memorandum has
17 determined that the Amendment to the Interconnection Agreement negotiated between Qwest and
18 Dobson meets the requirements of Section 252(e)(2)(A) of the 1996 Act which governs the
19 approval of voluntarily-negotiated agreements and is in the public interest.

20 4. The Commission maintains jurisdiction over the subject matter of the Agreement
21 and Amendments thereof, to the extent permitted pursuant to the powers granted the Commission
22 by the Arizona Constitution, Statutes, Commission Rule, and the 1996 Act and the Rules
23 promulgated thereunder.

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ORDER

IT IS THEREFORE ORDERED that the Commission hereby approves the Amendment to the Interconnection Agreement between Qwest and Dobson filed on July 26, 2001.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION
CHAIRMAN
COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL,
Executive Secretary of the Arizona Corporation
Commission, have hereunto, set my hand and caused the
official seal of this Commission to be affixed at the Capitol,
in the City of Phoenix, this 30th day of August, 2001.


BRIAN C. McNEIL
Executive Secretary

DISSENT: _____

SMO:EAA:nsm/MCC

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3 DOCKET NO. T-01051B-01-0598
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